

Exhibit 47

Meeting of the Return Board
December 1, 2016

MEETING OF THE RETURN BOARD

- - - - -
December 1, 2016
- - - - -

COMMISSIONERS PRESENT:

ANTHONY CLARK, CHAIRMAN
AL SCHMIDT, VICE CHAIRMAN
LISA DEELEY, COMMISSIONER
CARLA MOSS, DEPUTY COMMISSIONER
DON GARECHT, DEPUTY COMMISSIONER
SETH BLUESTEIN, DEPUTY COMMISSIONER
TIM DOWLING, DEPUTY COMMISSIONER

PRESENT:

FRED VOIGT, LEGAL COUNSEL
JOSEPH LYNCH, ELECTION MATERIAL
KEVIN KELLY

ALSO PRESENT:

LAWRENCE TABAS, ESQUIRE,
REBECCA WARREN, ESQUIRE
ILANN MAAZEL, ESQUIRE
DAVE DAVIES, WHYY-FM SENIOR REPORTER

HELD AT: Delaware and Spring Garden Streets
Philadelphia, Pennsylvania

REPORTED BY: Serena A. Spotts

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<p>1 - - - - -</p> <p>2 (Whereupon, the meeting of the</p> <p>3 Return Board began at 10:00 a.m.)</p> <p>4 - - - - -</p> <p>5 CHAIRMAN CLARK: Good morning,</p> <p>6 everyone. It is 10 o'clock a.m., Thursday,</p> <p>7 December 1st, 2016. This is the meeting of</p> <p>8 the Return Board.</p> <p>9 COMMISSIONER SCHMIDT:</p> <p>10 Commissioner Deeley will now address the</p> <p>11 recanvass petitions submitted to the board</p> <p>12 prior to the announcement of computation.</p> <p>13 After the proceedings, we'll provide an</p> <p>14 opportunity for statements by counsel, if</p> <p>15 they wish.</p> <p>16 COMMISSIONER DEELEY: Thank you,</p> <p>17 Commissioners. The staff at the County</p> <p>18 Board of Elections have evaluated the</p> <p>19 petitions submitted prior to the</p> <p>20 announcement of the computation and has</p> <p>21 recommended to the Return Board, in</p> <p>22 accordance with the provisions of the</p> <p>23 Pennsylvania Election Code, that 297</p> <p>24 affiance executed petitions for recanvass</p>	<p>1 12, 14, 15;</p> <p>2 Ward 12, Division 22;</p> <p>3 Ward 15, Divisions 6, 9, 16, 17;</p> <p>4 Ward 18, Division 10;</p> <p>5 Ward 21, Divisions 11, 18, 22,</p> <p>6 24, 29, 30, 31, 44;</p> <p>7 Ward 22, Divisions 1, 2, 5, 6,</p> <p>8 and 10;</p> <p>9 Ward 27, Divisions 5, 7, 15;</p> <p>10 Ward 30, Divisions 1, 5, 6, 7,</p> <p>11 13, 14, 15;</p> <p>12 Ward 36, Divisions 29, 37, 41;</p> <p>13 Ward 38, Division 11;</p> <p>14 Ward 39, Division 45;</p> <p>15 Ward 46, Divisions 1, 2, 10, 16,</p> <p>16 19;</p> <p>17 Ward 53, Division 16;</p> <p>18 Ward 54, Division 6;</p> <p>19 Ward 59, Divisions 10 and 19;</p> <p>20 Ward 66, Division 9.</p> <p>21 Counsel and representatives of</p> <p>22 the candidates may obtain copies of the</p> <p>23 petitions from the County Board of</p> <p>24 Elections, Room 142, City Hall. It is</p>
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<p>1 and recount and brought those before the</p> <p>2 board, 282 of the affidavits were found to</p> <p>3 be in conformity with the requirements of</p> <p>4 the Pennsylvania Election Code. And 15 of</p> <p>5 the affidavits were found not to be in</p> <p>6 conformity with the requirements of the</p> <p>7 Pennsylvania Election Code.</p> <p>8 The County Board of Elections</p> <p>9 recommends that the following divisions be</p> <p>10 subject to recanvass and recount because</p> <p>11 there were at least three affiance for each</p> <p>12 request for recanvass or recount in</p> <p>13 conformity with the requirements of the</p> <p>14 Pennsylvania Election Code from each</p> <p>15 division.</p> <p>16 The divisions are Ward 1,</p> <p>17 Divisions 11, 12, 14, 20;</p> <p>18 Ward 2, Divisions 7, 11, 15, 16,</p> <p>19 19, 20, 24, 25, 26;</p> <p>20 Ward 3, Division 4;</p> <p>21 Ward 5, Divisions 1, 3, 4, 8,</p> <p>22 14, 22, 27;</p> <p>23 Ward 8, Divisions 7, 9;</p> <p>24 Ward 9, Divisions 2, 3, 4, 6, 9,</p>	<p>1 recommended that we not conduct a forensic</p> <p>2 audit of the machines as required by the</p> <p>3 petitioners, as such an examination is</p> <p>4 beyond the scope of the recanvass and</p> <p>5 recount provisions of the Pennsylvania</p> <p>6 Election Code.</p> <p>7 The recanvass and recount</p> <p>8 process will be conducted as set forth in</p> <p>9 the Pennsylvania Election Code T -- 25 P.S.</p> <p>10 Section 3154. The recanvass and recount</p> <p>11 will include a recanvass of the machine</p> <p>12 vote and a recanvass of all paper ballots</p> <p>13 to include absentee, provisional, and such</p> <p>14 emergency ballots as there are for each of</p> <p>15 the previously identified divisions.</p> <p>16 The recanvass and recount will</p> <p>17 commence at 1 p.m. on Friday, December 2,</p> <p>18 2016 at the Board of Elections voting</p> <p>19 machine warehouse, 4700 Wissahickon Avenue,</p> <p>20 Philadelphia, Pennsylvania 19144. Based on</p> <p>21 the recommendations of the staff of the</p> <p>22 County Board of Elections, 282 petitions</p> <p>23 were found to be in conformity with the</p> <p>24 requirements of the Pennsylvania Election</p>

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Page 6	<p>1 Code.</p> <p>2 And pursuant to the requirements</p> <p>3 of the code, I move that those divisions we</p> <p>4 have enumerated as having at least three</p> <p>5 petitioners request in conformity with the</p> <p>6 requirements of the Pennsylvania Election</p> <p>7 Code be subject to a recanvass and recount</p> <p>8 by this board in the manner we have</p> <p>9 discussed.</p> <p>10 All in favor?</p> <p>11 COMMISSIONER SCHMIDT: I second</p> <p>12 the motion. I vote in favor.</p> <p>13 CHAIRMAN CLARK: I vote in</p> <p>14 favor.</p> <p>15 COMMISSIONER DEELEY: The motion</p> <p>16 carries.</p> <p>17 COMMISSIONER SCHMIDT: We'll now</p> <p>18 open the record for brief comments from</p> <p>19 Counsel, if they wish.</p> <p>20 MR. MAAZEL: Morning.</p> <p>21 COMMISSIONER SCHMIDT: Would you</p> <p>22 mind stating your name for the record?</p> <p>23 MR. MAAZEL: Iann Maazel, from</p> <p>24 Emery, Celli, Brinckerhoff & Abady,</p>	Page 8	<p>1 But the one I'd like to start with is</p> <p>2 Section 2650, which provides that any</p> <p>3 candidate present at any recount of ballots</p> <p>4 of recanvass of voting shall be entitled to</p> <p>5 examine the voting machine and raise any</p> <p>6 objections regarding the same.</p> <p>7 Now, examine is not defined in</p> <p>8 the Election Code. But examination plainly</p> <p>9 includes something more than just standing</p> <p>10 there and watching people press a button</p> <p>11 and recanvass the machines. It means being</p> <p>12 able to look inside the software to do a</p> <p>13 search and examination, to do an</p> <p>14 inspection. That's the Merriam-Webster</p> <p>15 definition of examination.</p> <p>16 There is only one way for any</p> <p>17 candidate to do any competent examination</p> <p>18 of the DRE system. And that is to look</p> <p>19 inside the software, to look inside the</p> <p>20 media, to see if there is anything in the</p> <p>21 code that switch votes, to see if votes</p> <p>22 were accurately counted. It's the only</p> <p>23 way.</p> <p>24 We can't simply look at a</p>
Page 7	<p>1 appearing on behalf of presidential</p> <p>2 candidate Jill Stein.</p> <p>3 Would you all prefer if I stand</p> <p>4 or sit?</p> <p>5 COMMISSIONER SCHMIDT: Whatever</p> <p>6 is convenient for you.</p> <p>7 MR. MAAZEL: I'm used to</p> <p>8 standing. Yesterday evening we submitted</p> <p>9 to the board a request on behalf of</p> <p>10 Ms. Stein, one of the presidential</p> <p>11 candidates, for a forensic examination of</p> <p>12 the DRE electronic voting system in</p> <p>13 Philadelphia. And attached to that letter</p> <p>14 were five affidavits by leading computer</p> <p>15 scientists and experts throughout the</p> <p>16 country describing the vulnerabilities of</p> <p>17 the area machines and, in particular, the</p> <p>18 area machines here in Philadelphia.</p> <p>19 What I want to start with is a</p> <p>20 basic proposition, which is that Ms. Stein,</p> <p>21 as a candidate, has a right under the</p> <p>22 Pennsylvania Election Code to do this</p> <p>23 forensic audit. She has a right under</p> <p>24 multiple sections of the election code.</p>	Page 9	<p>1 machine from the outside and determine if</p> <p>2 it's working the way it should. To examine</p> <p>3 it means to look inside it. And,</p> <p>4 certainly, in the old-fashioned voting</p> <p>5 machine context, that means potentially</p> <p>6 looking inside the machine. In the</p> <p>7 electronic voting system context, it means</p> <p>8 looking inside the software.</p> <p>9 You know, if a -- if a doctor is</p> <p>10 seeing a patient and just looks at the</p> <p>11 patient, that is not an examination. That</p> <p>12 doctor cannot give the patient a clean bill</p> <p>13 of health. You have to check their heart.</p> <p>14 You have to check their lungs. You have to</p> <p>15 take a blood test. That's an examination.</p> <p>16 And if a doctor saw a patient and said, oh,</p> <p>17 you look fine, the examination's over, that</p> <p>18 would be medical malpractice.</p> <p>19 And for us to simply stand there</p> <p>20 and watch a re-canvassing would be election</p> <p>21 malpractice. That's not an examination.</p> <p>22 So just under the plain language of the</p> <p>23 Election Code 25 P.S. 2650 Section C, any</p> <p>24 candidate, including Ms. Stein, is entitled</p>

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<p>1 to this examination. And we would like to 2 do that as part of this recanvass. 3 It's the one and only way to 4 make sure that the vote in Philadelphia had 5 integrity, that the votes were accurately 6 counted. In a paper ballot county, we 7 would look at the paper. That would be the 8 best examination we could do. But we don't 9 have any paper record at all in 10 Philadelphia. We just have machines. 11 So given that -- that is a 12 request by Ms. Stein. And I believe it's 13 not optional. I believe it's absolutely 14 required that the board permit this 15 examination. That's my first point. 16 The second point, should there 17 be no doubt about what the Board can do, 18 because the Board has broad powers here not 19 just to recanvass but to do something more. 20 The Election Code speaks -- does not 21 actually define exactly what the Board 22 should do in the case of electronic voting 23 systems. It speaks in 35 -- I'm sorry -- 24 25 P.S. 315484 to using a method similar to</p>	<p>1 that effected the central electronic 2 management system that was then sent to the 3 machines. 4 This is not difficult to do. 5 And we've represented in our letter that 6 Ms. Stein is willing to pay computer 7 experts to do this. They could be here as 8 soon as tomorrow to do this and -- because 9 she is so committed to making sure that the 10 votes were accurately counted. 11 I can see no conceivable 12 objection to this approach because it's 13 simply ensuring that the votes were counted 14 accurately. And so I won't spend too much 15 time going into what we all know, which is 16 that the United States government, director 17 of national intelligence, homeland 18 security, they have said that foreign 19 powers tried many times to interfere with 20 this election. 21 We know that in Illinois and 22 Arizona the voter rolls were hacked. We 23 know that voter data was stolen. We know 24 that -- we believe that at least 20 states</p>
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<p>1 a method used for voting machines. 2 It doesn't define what similar 3 is. But we know that voting machines can 4 be opened up so long as it doesn't -- so 5 long as it doesn't effect the vote tally 6 itself. And, similarly, an electronic 7 voting system can be opened up so that it 8 doesn't effect the vote tally itself. 9 And here is how it would work: 10 Computer experts can access the central 11 electronic management system, first, 12 without even going into any machines. And 13 this is not difficult to do. You can 14 just -- you can attach an external hard 15 drive to the central electronic management 16 system, and you duplicate the software. 17 They can then take that to a lab, and they 18 can examine it. It doesn't effect a single 19 voting machine. 20 And computer scientists can 21 learn a great deal about whether there's a 22 malware, about whether there has been 23 hacking there, about whether there is 24 something in that code, that software code,</p>	<p>1 have been targeted. We know these things. 2 And so when we have that evidence of 3 foreign interference in an election and 4 then when we have the evidence of the 5 vulnerability of these machines and then 6 when we have the Election Code that says 7 you have not just the power but the 8 obligation to let us examine the machines 9 in this way, we think it's clear that this 10 forensic examination should take place. 11 And given the exigencies of 12 time, we ask that happen immediately. We 13 would like to start this as soon as 14 possible and are able to do business 15 tomorrow. Again, it wouldn't effect any of 16 the votes, the tally. It's just an 17 examination to make sure the votes were 18 counted accurately. 19 There can be absolutely nothing 20 more important. After all, the most 21 important thing in this country is 22 democracy and the right to vote. And the 23 way to make sure the votes were accurately 24 counted is to look in these machines.</p>

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<p>1 These machines are the only thing standing 2 between voters and the election result. 3 So let's examine the machines 4 and -- and make the process open and 5 transparent and fair to all the voters in 6 the County of Philadelphia -- City of 7 Philadelphia. 8 Thank you very much. 9 COMMISSIONER SCHMIDT: Thank 10 you. 11 CHAIRMAN CLARK: Okay. This 12 meeting is adjourned -- 13 COMMISSIONER SCHMIDT: Are there 14 any other comments from counsel? 15 MR. TABAS: Yes. Good morning, 16 Commissioners. I am Lawrence Tabas. I am 17 Counsel for the electors for President 18 Elect Donald Trump, Vice President Elect 19 Mike Pence, and on behalf of the Republican 20 Party of Pennsylvania, and the candidates 21 on the ballot -- the republican ballot in 22 the November 8th, 2016 election. 23 First of all, I would like to 24 just start -- I have a few points I'd like</p>	<p>1 weight, which is a violation of the United 2 States Supreme Court precedent, which is 3 binding in a presidential election on this 4 Board of Commissioners. In addition, there 5 is the Federal Safe Harbor that exists for 6 the presidency and the vice presidency 7 under the United States code, which, again, 8 the Supreme Court recognized and which 9 Pennsylvania participates in. So it is a 10 violation of the United States constitution 11 to permit this cherrypicking of these 12 petitions today. 13 In addition, just a couple of 14 comments that Counsel for Stein met. First 15 of all, the machines are absolutely secure. 16 It's not just don't take my word for it. 17 But take the word of the secretary of the 18 commonwealth, Pedro Cortés, who has 19 actually held that office for many years 20 before this current term of his. He stated 21 in a public statement on October 20th -- 22 and I have a copy that I would like the 23 commissioners to include within the record. 24 He stated, among other things</p>
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<p>1 to make today before the commissioners. I 2 want to start by saying that these 3 petitions that have been filed that the 4 Board of Commissioners is preparing to 5 accept for a recount, recanvass absolutely 6 violate the federal provisions that do not 7 permit cherrypicking of recounts in a race 8 for the president and vice president of the 9 United States. 10 As the Supreme Court's decision 11 in Bush versus Gore made quite clear, votes 12 cast in an election for president in the -- 13 in an election for president, vice 14 president must be treated equally under the 15 14th Amendment, the Equal Protection 16 Clause. A state must treat them equally, 17 and cherrypicking divisions to do a recount 18 or a recanvass is absolutely violating the 19 14th Amendment because some voters in the 20 City of Philadelphia's votes will not be 21 re-canvassed and recounted. 22 Therefore, some of these votes 23 that are going to be the subject of these 24 282 petitions will be getting unfair</p>	<p>1 today in that statement, that our voting 2 systems are secure. He further went on to 3 state that the voting machines in 4 Pennsylvania are not connected to the 5 internet. In fact, he said they are not 6 even connected to one another. There is no 7 opportunity to hack these machines. There 8 is no opportunity to corrupt them. He 9 further went on to say that, in addition, 10 the voting machines are kept under a strict 11 chain of custody. 12 Prior to the election, they are 13 tested for logic and accuracy. The 14 machines are locked down. And the tapes 15 are locked and applied so that, if there 16 was any tampering, it would be detected. 17 This is the secretary of the commonwealth 18 who has made this statement and made it 19 public long before the election took place. 20 The opportunity for Jill Stein 21 or any other candidate, under the Election 22 Code, to exam the machines gave her that 23 opportunity prior to November 8th. She 24 chose not to take it. The County Board of</p>

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<p>1 Elections, the commissioners here in 2 Philadelphia, you make a public 3 announcement of the day when people can 4 come in and examine the machines prior to 5 election day as allowed under the Election 6 Code. She did not come forward. 7 Now she's only coming forward 8 for reasons that are completely beyond 9 comprehension. She sat on her right. She 10 didn't exercise it. She made no challenge 11 before. These allegations from this 12 supposed expert, who by the way has a 13 patented product that he claims would solve 14 these problems -- so I question his actual 15 independence here -- all reference things 16 that occurred prior to election day. 17 So she knew about these issues 18 before November 8th, but she chose not to 19 do anything about it because she thought 20 that the results on election day would be 21 different. 22 In addition, the counsel for 23 Ms. Stein said that the election code has 24 no guidance on how to handle the voting</p>	<p>1 trying to interfere with the dually 2 electoral process of president and vice 3 president of the United States. 4 So I would just ask the 5 commissioners to take into account the 14th 6 Amendment controls here. Equal protection 7 is one of our most cherished rights. The 8 binding precedent of the United States 9 Supreme Court in Bush versus Gore and the 10 Federal Safe Harbor statute, which 11 Pennsylvania has absolutely opted in, 12 demand that these petitions be dismissed as 13 violating the constitution of the United 14 States. 15 COMMISSIONER SCHMIDT: Thank 16 you, Mr. Tabas. 17 MR. TABAS: I'll leave the 18 statement from Secretary Cortés here for 19 the record. 20 MR. MAAZEL: May I be just very 21 briefly just to respond? 22 COMMISSIONER SCHMIDT: If it's 23 very brief. So it's not a -- this is not a 24 conversarial situation. It's to put</p>
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<p>1 machines as part of a recount or recanvass. 2 That's absolutely not true. Not only does 3 the code itself have specific provisions, 4 but the Department of State has annually 5 reinforced and reissued its directive on 6 electronic voting machines in this state. 7 Finally, there has been no 8 allegation whatsoever, either in the 9 affidavit of this alleged expert or in the 10 comments of Counsel for Mr. Stein [sic] 11 today or anywhere else, that there has been 12 any tampering or any interference with any 13 of the machines in the entire Commonwealth 14 of Pennsylvania, let alone Philadelphia 15 County. 16 The references are to Arizona, 17 Illinois, and the Democratic National 18 Committee. And the last I checked, the 19 City of Philadelphia does not store its 20 voting machines at the Democratic National 21 Committee headquarters. There is 22 absolutely no factual basis whatsoever. 23 This is not even a fishing 24 expedition. This is nothing more than</p>	<p>1 comments on the record. 2 MR. MAAZEL: I just want to 3 complete the record with a couple of those 4 points quickly. Just responding to this 5 Bush/Gore argument, we would be happy to do 6 a recount throughout all of Philadelphia. 7 We would be happy to do a recount 8 throughout all of the state. It's the 9 republican party that does not want that. 10 So if they are claiming that 11 we're cherry picking, that's just an insult 12 to the volunteers and citizens who came 13 forward to demand a recount. There is no 14 cherry picking. We would like a recount 15 everywhere. If they agree to that, we'll 16 be happy to do that. They don't want a 17 recount anywhere. 18 The allegation that Ms. Stein 19 slept on her rights, she has a right today 20 under 2650 C as part of the recount and the 21 recanvass to examine the DRE voting system. 22 That's in the statute today and tomorrow 23 not months ago. So she's exercising her 24 right in a timely way, and she's exercising</p>

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<p style="text-align: right;">Page 22</p> <p>1 it now.</p> <p>2 And, finally, we all know that</p> <p>3 the central voting system is connected to</p> <p>4 the internet. And the machines are then</p> <p>5 connected to -- all the information on the</p> <p>6 machines comes from that central location.</p> <p>7 The idea that the machines can't be hacked</p> <p>8 is absurd. And there is no top computer</p> <p>9 scientist who will say that these machines</p> <p>10 are impregnable. That's an absurd comment.</p> <p>11 We have five experts -- not one but five --</p> <p>12 who all said the same thing.</p> <p>13 So we would respectfully request</p> <p>14 a vote on our request for this forensic</p> <p>15 examination. And I thank you very much for</p> <p>16 your time.</p> <p>17 CHAIRMAN CLARK: And we're going</p> <p>18 to let Mr. Davis [sic] respond to that and</p> <p>19 then if there's any other questions or</p> <p>20 comments.</p> <p>21 MR. TABAS: I'll give the board</p> <p>22 an early Christmas present. I have no</p> <p>23 response.</p> <p>24 CHAIRMAN CLARK: Thank you.</p>	<p style="text-align: right;">Page 24</p> <p>1</p> <p>2 CERTIFICATION</p> <p>3</p> <p>4 I, hereby, certify that the</p> <p>5 proceedings and evidence noted are</p> <p>6 contained fully and accurately in the</p> <p>7 stenographic notes taken by me in the</p> <p>8 foregoing matter, and that this is a</p> <p>9 correct transcript of the same.</p> <p>10</p> <p>11</p> <p>12</p> <p>13 _____</p> <p>14 Court Reporter - Notary Public</p> <p>15</p> <p>16</p> <p>17</p> <p>18 (The foregoing certification of</p> <p>19 this transcript does not apply to any</p> <p>20 reproduction of the same by any means,</p> <p>21 unless under the direct control and/or</p> <p>22 supervision of the certifying reporter.)</p> <p>23</p> <p>24</p>
<p style="text-align: right;">Page 23</p> <p>1 COMMISSIONER SCHMIDT: Are there</p> <p>2 any other comments from counsel?</p> <p>3 (No response.)</p> <p>4 CHAIRMAN CLARK: Okay. It</p> <p>5 appears that that's it. This meeting is</p> <p>6 adjourned at the Call of -- this meeting is</p> <p>7 adjourned at the -- I'm sorry. The Return</p> <p>8 Board is adjourned. Thank you very much</p> <p>9 for coming.</p> <p>10 - - - - -</p> <p>11 (At this time, Exhibit-1 has been</p> <p>12 marked for identification.)</p> <p>13 - - - - -</p> <p>14 (Whereupon, the meeting of the</p> <p>15 Return Board was adjourned at the Call of</p> <p>16 the Chair at 10:24 a.m.)</p> <p>17 - - - - -</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	

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23:16	1:8	briefly 20:21	21:14	15:4 16:4	6:19 14:14	1:10,10,11	5:24 6:6
Abady 6:24	appearing	Brinckerhoff	chose 17:24	16:23 18:1	14:17 16:14	describing	7:22,24 8:8
able 8:12	7:1	6:24	18:18	20:5	18:22 19:10	7:16	9:20,23
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